

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on September 7, 2005, and the references cited therewith. The Examiner's attention to the present application is noted with appreciation.

Claims 1, 14, 15 and 17 are amended, claim 13 is cancelled, claims 21-26 are newly added as a result claims 1-12, 14-26 are pending. No new matter has been added.

'102 Rejection of the Claims

Claims 1-7, 12-16 were rejected under 35 USC ' 102(b) as being anticipated by Laufer (U.S.5730136).

Applicant traverses this rejection as Laufer does not anticipate each and every element of the present invention as required under 102(b). Laufer does not teach an apparatus that enhances venous blood flow to the heart but instead teaches an apparatus that determines the location of incompetent valves in the lower extremity which by necessity pushes blood away from the heart. Therefore, the invention is patentable over Laufer.

'103 Rejection of the Claims

Claims 8-11 were rejected under 35 USC ' 103(a) as being unpatentable over Laufer (U.S.5730136).

Applicant traverses the rejection as Laufer teaches away from applicant's invention. Laufer teaches an apparatus and method for identifying values which have compromised integrity in a lower extremity. To identify compromised values, the apparatus and method requires that venous blood is pushed away from the heart throughout the lower extremity sequentially through multiple locks formed through the application of pressure along the lower extremity. The locks serve to isolate the backward flow of blood should a value be compromised. Because Laufer is concerned with isolating the compromised values Laufer does not encourage maximum venous blood volume expansion and expulsion. Therefore, Laufer does not teach enhancing venous blood return. Laufer does not have a controller that controls the operation of the compression component and impedance component independently via a signal comprising a change in the diameter of the calf. Instead, Laufer identifies the location of

incompetent values in the vessel of the lower extremity sequentially. In this effort, the apparatus of Laufer requires that the entire lower extremity be wrapped in a legging comprising multiple impedance and compression components thereby restricting the leg unlike applicants invention.

Since Laufer teaches away from Applicant's invention, Applicant's invention could not be obvious in light of Laufer. Therefore, claims 8-11 are patentable over Laufer.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (505 998 6134) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4213

Respectfully submitted,



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